

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO. 09/889,625

REMARKS

Claims 1-12 were rejected under 35 U.S.C. § 112, second paragraph. Claims 1, 4, 5, 7-11 and 13-14 were rejected under 35 U.S.C. § 103(a). Claims 2, 3, 6 and 12 were objected to as being dependent on a rejected base claim but would be allowable if rewritten to overcome the rejection under § 112, and to include all of the limitations of the base claim and any intervening claims.

Claim 1 is amended herein. Claims 2 and 3 are canceled, without prejudice.

In Claim 1, the phrase “the tubular reactor” has been deleted and replaced with “said at least one of said reaction zones.” In addition, Claim 1 has been amended to recite the subject matter of allowed Claims 2 and 3.

Upon entry of the amendment, Claims 1 and 4-14 will be all the claims pending in the application.

Response to the Rejection of Claims 1-12 under 35 U.S.C. § 112, second paragraph

Claims 1-12 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

It is asserted that the term “the tubular reactor” has no antecedent basis in Claim 1.

As noted above, the phrase “the tubular reactor” has been deleted and replaced with “said at least one of said reaction zones.” Applicants submit that the phrase “said at least one of said reaction zones” has antecedent basis.

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Accordingly, Applicants request that the § 112, second paragraph, rejection be reconsidered and withdrawn.

Response to the Rejection of Claims 1, 4, 5, 7-11 and 13-14 under 35 U.S.C. § 103(a)

Claims 1, 4, 5, 7-11 and 13-14 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,871,707 to Hibi et al. (“Hibi”) in view of U.S. Patent No. 4,299,977 to Kuhlmann et al. (“Kuhlmann”) or U.S. Patent No. 4,188,184 to Fornoni et al. (“Fornoni”).

As noted above, the subject matter of allowable Claims 2 and 3 has been incorporated into Claim 1. Therefore, the rejection of Claim 1 over Hibi in view of Kuhlmann or Fornoni is now moot. Accordingly, Applicants submit that the rejection of Claims 1, 4, 5, 7-11 and 13-14 should be reconsidered and withdrawn.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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